

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HEATH VINCENT FULKERSON,

Plaintiff,

vs.

JAMES HARDIE BUILDING PRODUCTS,
INC., *et al.*,

Defendants.

Case No.: 3:20-CV-00519-RCJ-CLB

ORDER ADOPTING AND ACCEPTING
REPORT AND RECOMMENDATION OF
UNITED STATES MAGISTRATE JUDGE
(ECF NO. 3)

Before the Court is the Report and Recommendation of United States Magistrate Judge Carla L. Baldwin (ECF No. 3¹) entered on October 15, 2020, recommending that the Court grant Fulkerson's application to proceed *in forma pauperis* (ECF No. 1); the clerk of the court file the complaint (ECF No. 1-1) and Fulkerson's complaint (ECF No. 1-1) be dismissed with prejudice. No objection to the Report and Recommendation has been filed.

This action was referred to Magistrate Judge Baldwin under 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 1-4 of the Rules of Practice of the United States District Court for the District of Nevada.

¹ Refers to Court's docket number.

1 The Court has considered the pleadings and memoranda of the parties and other relevant
2 matters of record pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2.

3 **IT IS HEREBY ORDERED** that Magistrate Judge Baldwin's Report and
4 Recommendation (ECF No. 3) is **ADOPTED and ACCEPTED**.
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6 **IT IS FURTHER ORDERED** that Fulkerson's application to proceed *in forma pauperis*
7 (ECF No. 1) is **GRANTED**.

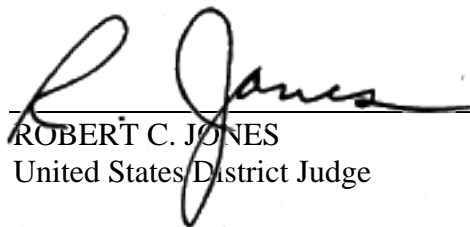
8 **IT IS FURTHER ORDERED** that the Clerk of the Court shall file the complaint (ECF
9 No. 1-1).
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11 **IT IS FURTHER ORDERED** that Fulkerson's complaint (ECF No. 1-1) is
12 **DISMISSED WITH PREJUDICE**.

13 **IT IS FURTHER ORDERED** that the Clerk of the Court shall **ENTER JUDGMENT**
14 and **CLOSE** the case.

15 **IT IS SO ORDERED**.
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17 Dated this 10th day of February, 2021.

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20 ROBERT C. JONES
21 United States District Judge
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